

AGENDA: September 10, 2002

8.1

CATEGORY: New Business

DEPT.: Fire

TITLE: Amendments to Sewer Service Ordinance

RECOMMENDATION

Introduce AN ORDINANCE AMENDING ARTICLE III, CHAPTER 35 OF THE MOUNTAIN VIEW CITY CODE ENTITLED "PROVISIONS PERTAINING TO SEWER SERVICE AND SEWAGE DISPOSAL," to be read in title only, further reading waived, and tentatively set the second reading for September 24, 2002.

FISCAL IMPACT

The degree of fiscal impact on the business community is expected to be minimal; businesses already meet the more stringent discharge limits for mercury and methyl tertiary butyl ether (MTBE) being proposed, and most businesses are already implementing the proposed engineering and Best Management Practices amendments. There is no impact to City facilities.

BACKGROUND

All wastewater discharges to the sanitary sewer and storm drain system are regulated under the Federal Clean Water Act. The State Water Resources Control Board issues permits (known as NPDES permits) to local agencies and sewage treatment plants to implement the Clean Water Act's provisions.

The City of Mountain View is regulated under two distinct NPDES permits to control and limit its wastewater discharges. The first NPDES permit regulates discharges to the sanitary sewer system. All discharges to the sanitary sewer system flow to the Palo Alto Sewage Treatment Plant, which treats the wastewater prior to discharging it to the San Francisco Bay. The permit is issued to the Palo Alto Sewage Treatment Plant, and they, in turn, promulgate local regulations throughout their service area to assure they remain in compliance with their permit discharge requirements. The second NPDES permit regulates discharges to the storm drain system. All discharges to the storm drain system flow directly to the San Francisco Bay without any treatment. The permit for this program is issued directly to all 13 cities in Santa Clara County, including Mountain View.

The City of Mountain View assures compliance with both NPDES permits by adopting regulations which are codified in Chapter 35 of the Mountain View City Code. This chapter codifies sanitary sewer discharge limits for metals and toxics as well as Best Management Practices for storm drain discharges.

The City of Palo Alto amended their wastewater discharge ordinance in July of this year. Cities within the Palo Alto Sewage Treatment Plant service area (including Mountain View, East Palo Alto, Stanford, Los Altos and Los Altos Hills) are encouraged to adopt similar language to maintain consistency of requirements.

By continuing its compliance with both permits, the City of Mountain View continues its proactive role in improving the overall water quality of its creeks as well as the San Francisco Bay.

ANALYSIS

It has been seven years since the last ordinance update. This amendment includes clean-up language and a few new requirements based on NPDES permit conditions. Since most businesses are already implementing these proposed amendments voluntarily, staff does not expect any significant negative impact on the business community. A summary of amendment changes is included in Attachment 1.

An initial public hearing on the proposed amendments was conducted in Palo Alto in December 2001. Businesses from the entire service area, including Mountain View, participated and provided feedback. Comments from that hearing were included in subsequent drafts to the amendment package. In July 2002, a final draft of the proposed regulations was distributed to Mountain View permit holders as well as City staff for additional review and comment. No significant changes were proposed. The complete text of proposed amendments is included in Attachment 2.

CONCLUSION

The proposed amendments to Chapter 35 of the Mountain View City Code will continue Mountain View's proactive efforts in improving the water quality in our creeks and the San Francisco Bay. In addition, these amendments will assure that:

1. Local limits for sanitary sewer discharge are uniform and consistent with other cities in our service area and assist the Palo Alto Sewage Treatment Plant in assuring compliance with its NPDES sanitary sewer discharge permit; and

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2. Local discharge practices for storm drain discharge are clearer and uniform with other cities in our service area and help the City of Mountain View maintain compliance with its NPDES storm water discharge permit.

PUBLIC NOTICING – Agenda posting.

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GL/6/CAM
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- Attachments:
1. Summary of Amendment Changes
 2. Complete Text of Proposed Amendments